

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LLOYD V. MURPHEY, et al,)	
)	
Plaintiffs,)	
)	Case No. 4:11CV2114 JCH
v.)	
)	
UNITED STATES OF AMERICA, et al.,)	
)	
Defendants.)	

MOTION TO DISMISS WITH PREJUDICE DEFENEDANTS ROBERT BACKER, M.D.
AND WEST COUNTY NEUROLOGICAL SURGERY, INC.

COME NOW Plaintiffs by and through their attorneys and pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure and hereby request this Court enter its Order dismissing *with prejudice* defendants Robert Backer, M.D. and West County Neurological Surgery, Inc. In support thereof, Plaintiffs state:

1. Rule 41 (a)(2) FRCP provides that an action may be dismissed with prejudice at Plaintiffs' request by court order.

2. The parties have agreed to this court entering an order dismissing the claims of Plaintiffs against defendants Robert Backer, M.D., and West County Neurological Surgery, Inc.

WHEREFORE, Plaintiffs respectfully request that their claims be dismissed *with prejudice* as to Defendants **Robert Backer, M.D.** and **West County Neurological Surgery, Inc.** The parties to bear own cost.

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CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2013 the foregoing was filed electronically with the
Clerk of the Court to be served by operation of the Court's electronic filing system:

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